

Message Text

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ACTION INR-07

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FM AMEMBASSY MANILA

TO SECSTATE WASHDC 0768

INFO DEFENSE MAPPING AGENCY WASHDC

C O N F I D E N T I A L MANILA 2240

E.O. 11652: GDS

TAGS: MARR, RP

SUBJECT: AERIAL CARTOGRAPHIC PHOTOGRAPHY - PHILIPPINES

REF: STATE 278791

1. EMBASSY CONCURS IN PROPOSED DEFENSE MAPPING AGENCY COMMERCIAL CONTRACT TO COMPLETE AERIAL CARTOGRAPHIC PHOTOGRAPHY PROJECT IN PHILIPPINES. EMBASSY ALSO CONCURS IN PROPOSAL TO INCLUDE PHILIPPINE COMPANIES IN THE BIDDING. OICC IS FAMILIAR WITH SEVERAL SUCH COMPANIES QUALIFIED TO UNDERTAKE CONTRACT.

2. PHILIPPINE CURRENCY REGULATIONS ARE UNEXCEPTIONABLE AND SHOULD NOT UNDULY HAMPER U.S. CONTRACTOR'S PERFORMANCE.

3. SIMILARLY, RE CONTRACTOR LIABILITY, PRINCIPLES APPLIED IN PHILIPPINES ARE ANALOGOUS TO THOSE PREVAILING IN UNITED STATES AND SHOULD PRESENT NO PROBLEM TO EXPERIENCED FIRM.

4. EMBASSY AWARE OF NO GOP RESTRICTIONS WHICH WOULD HAMPER NORMAL MAPPING OPERATIONS EXCEPT, OF COURSE, FOR NEED TO OBSERVE CUSTOMARY NOTAMS AND MARTIAL LAW CURFEW RESTRICTIONS.

5. ARTICLE IX OF US-RP 1947 MILITARY BASES AGREEMENT (.-) ESTABLISHES U.S. RIGHT TO MAKE SURVEYS. ARTICLE V
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OF MBA PROVIDES CONTRACTORS EXEMPTIONS FROM CUSTOMS AND

OTHER DUTIES, AND ARTICLE XII PROVIDES INCOME TAX EXEMPTION FOR CONTRACTORS IN RESPECT OF PROFITS DERIVED UNDER A CONTRACT MADE IN US WITH USG "IN CONNECTION WITH THE CONSTRUCTION, MAINTENANCE, OPERATION AND DEFENSE OF THE BASES." THUS, IT WOULD APPEAR THAT NEXT STEP WOULD BE FOR DMA TO CONTACT BG VENTURA, AFP CHIEF OF ENGINEERS, TO MAKE NECESSARY ATTESTATIONS RE PROPOSED DOD CONTRACTOR TO INTERESTED GOP AGENCIES (BUREAU OF INTERNAL REVENUE, CUSTOMS, ETC.) SO THAT REQUISITE EXEMPTIONS CAN BE OBTAINED FOR SUCCESSFUL BIDDER. IN THIS CONNECTION DMA MAY WISH TO OBTAIN EXPERT ADVICE ON CONTRACTING PROCEDURES AND QUALIFIED LOCAL COMPANIES IN PHILIPPINES FROM MANILA OFFICE OF OICC, NAVFACENGCOM (CONTRACTS) SOUTHWEST PACIFIC. SULLIVAN

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